

REMARKS

Drawings

A corrected Figure 1A including a "Prior Art" legend is submitted. Applicants submit that Figure 1B illustrates the present invention which is not part of the prior art.

Claim Objections

Claims 6 and 7 have been amended to recite "More than one mobile station according to claim 5" to clarify that Claims 6 and 7 are directed towards embodiments having a plurality of mobile stations, each station being as claimed in Claim 5.

Claim Rejections – 35 USC § 102

In the present invention a mobile handset which requires a SIM card to connect to a communications network, such as a GSM handset, is enabled to connect to the same communications network if the SIM card is not present. This may, for example, be useful in the case of an emergency. This is not the same as the disclosure in Miyashita.

Miyashita discloses the use of a mobile station which is configured such that it can connect to two different network types depending on whether or not a SIM is present. For example, Miyashita states that "if it is detected that the SIM card 19 is mounted ... the common control unit 4 judges normality of storage data in the SIM card 19 by reading thereof (step 13). If the procedure of this step S13 is "normal" so that the storage data can be read normally, the common control unit 4 sets the GSM mode by the mode setting circuit 22" (Column 4 line 33 to 39). Miyashita also states that "if the above step S12 [detecting whether the SIM card is present] is "NO" the "PHS mode" is indicated in characters on the character display 15.... Next, the common control unit 4 communicates through the PHS radio unit 5 by an operation of the PHS mode" (Column 4 lines 53 to 59).

Therefore, a person using the mobile handset described in Miyashita without a SIM card would connect to a different network to the one connected to if a SIM card were present.

Claim 1 has been amended to recite “a method of setting up a call in a communications network using a mobile station configured to require a SIM card to connect to said communications network” and “using the said [default] information to carry out substantially standard call set up procedures to connect said mobile station to said cellular mobile communications network” in order to clarify this. Hence Applicants submit that Claim 1 is not anticipated by Miyashita.

Claim 10 has been amended to recite “A communications system comprising a plurality of mobile stations, each mobile station requiring a SIM card to connect to said communications system” and “at least one of the mobile stations including a default identity value which is used by the same network to provision a sub-set of the wireless communications services when a SIM card is absent”. Therefore, Applicants submit, for the same reasons as above, that Claim 10 is not anticipated by Miyashita.

Applicants submit that claims 2 to 4 and 11 to 15 are not anticipated by Miyashita at least by virtue of their dependencies.

Claim Rejections – 35 USC § 102

Claim 5 has been amended to recite “a mobile station configured so as to require a SIM card to connect to a cellular mobile radio network” and “the mobile authentication means being arranged to access the identity database in the absence of a SIM card in order to obtain identity information to use during interaction with the same communications network during call set up” (emphasis added). The Applicants submit that Miyashita does not disclose these features in view of the arguments above.

Furthermore, Applicants submit that Wichmann does not disclose “a mobile station for use in a cellular mobile radio network, comprising... an identity database arranged to hold default identity data” as claimed in Claim 5. Rather Wichmann discloses a system where a central management database contains a SIM database which “stores data for selecting subscribers for specific applications”.

A SIM database such as this would be contained within a node in the communications network and used to control access to services on the network. It would be used when a mobile terminal having a SIM requests a connection to the network to determine the identity of the SIM and whether or not a connection for the service requested should be allowed or denied. It would not be found on a mobile terminal.

The identity database claimed in Claim 5 would contain identity information which the mobile station would “use during interaction with the network during call set up” in order to obtain a connection.

Claim 8 recites “the network authentication means being arranged to recognise default identification data”. As discussed above, it is submitted that one skilled in the art would read Miyashita and determine that the handset connects to different networks according to whether a SIM card is present or not as discussed above. Therefore, the networks disclosed in Miyashita would not have to determine whether or not the identification data is default or not as the handset connects to one network when a SIM card is present and a different network when it is not.

Furthermore, Miyashita does not disclose a limited functionality call or call setup.

Therefore, Applicants submit that Claim 8 would not have been obvious to one skilled in the art in view of Miyashita and Wichmann.

Applicants submit that Claims 6, 7 and 9 are not obvious at least by virtue of their dependencies.

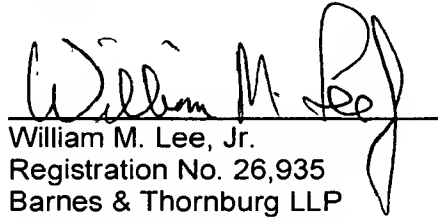
Declaration

The objection to the Declaration is not understood. The specification has a proper claim to the provisional, and that is all that is needed. Clarification is requested.

In view of the above, further and favorable reconsideration is urged.

November 3, 2004

Respectfully submitted,

A handwritten signature in black ink, appearing to read "William M. Lee, Jr.", is written over a horizontal line. The signature is stylized with a large, looped "L" and "J".

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